



Order Filed on May 23, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

Jeanette F. Frankenberg, Esq.
Stern, Lavinthal & Frankenberg, LLC
105 Eisenhower Parkway, Suite 302
Roseland, New Jersey 07068-0490
Telephone Number (973) 797-1100
Facsimile Number (973) 228-2679
Attorneys for Creditor
**Carrington Mortgage Services, LLC as servicing
agent for Bank of America, N.A.**

In Re:

Charles A. Schaffer, III
Debtor

Judge: Kathryn C. Ferguson
Chapter 13
Hearing: May 9, 2018
Case No.: 17-33684-KCF

CONSENT ORDER RESOLVING MOTION FOR RELIEF

The consent order set forth on the following pages, numbered two (2) through three (3), is hereby **ORDERED**.

DATED: May 23, 2018


Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

Debtor: Charles A. Schaffer III
Case No: 17-33684-KCF
Caption: Consent Order Resolving Motion for Relief from Stay

THIS MATTER having been brought before the Court by Carrington Mortgage Services, LLC as servicing agent for Bank of America, N.A., ("Secured Creditor"), by and through its attorneys, Stern, Lavinthal & Frankenberg, LLC, upon the filing of a Motion for Relief, and Ronald E. Norman, Esq., attorney for the Debtor, Charles A. Schaffer, III ("Debtor"), having filed an Objection to the Motion, and the parties having subsequently resolved their differences; and the Court noting the consent of the parties to the form, substance and entry of the within Order; and for good cause shown;

IT IS HEREBY ORDERED as follows:

1. Status of post-petition arrearages:
 - a. The Debtor is overdue for 5 months, from December 1, 2017 to April 1, 2018.
 - b. The Debtor is overdue for 5 payments at \$3,030.33 per month.
 - c. Total Arrearages Due \$15,151.65, through April 2018.
2. Debtor must submit a full modification review packet directly to Secured Creditor by May 31, 2018.
3. If the loan modification is granted, Debtor shall file a Modified Plan, together with amended Schedule "J" reflecting Debtor's post loan modification budget, within thirty (30) days of approval of final loan modification.
4. If no loan modification is approved by July 10, 2018 (or other date as extended by court order), Secured Creditor will promptly notify the Trustee, with copy to Debtor's attorney, and within thirty (30) days of such notification, the Debtor shall file one of the following:
 - a. A Modified Plan to cure the arrearage claim and any subsequent arrears to Secured Creditor; or a
 - b. Modified Plan to surrender the property subject to said claim; or a
 - c. Notice to Convert to Chapter 7; or a
 - d. Notice to Dismiss the Case.
5. Debtor acknowledges that the monthly post-petition mortgage payment is subject to change in accordance with the terms of the note and mortgage.
6. Furthermore, post-petition payments / trial period payments (if applicable) shall continue to be tendered outside the plan while the loan modification process is pending, continuing with the May 1, 2018 payment.
7. If the Debtors fail to make any regular monthly payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic

Debtor: **Charles A. Schaffer III**
Case No: 17-33684-KCF
Caption: Consent Order Resolving Motion for Relief from Stay

Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtors' failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and the Debtors' attorney.

8. Secured Creditor is awarded attorneys' fees of \$350.00 and costs of \$181.00, which shall be payable through the Debtor's Chapter 13 plan.

The undersigned hereby consent to the form,
content and entry of the within Order:



Ronald E. Norman, Esq. *5/23/18*
Attorney for the Debtor

/s/ Jeanette F. Frankenberg

Jeanette F. Frankenberg, Esq.
Attorney for Secured Creditor